

AUTHORIZATION OF TESTIMONY

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 279 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 279) to authorize testimony in the State of Mississippi versus Edward Statecum.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, this resolution concerns a request for testimony in a shoplifting action pending in Municipal Court in the City of Clarksdale, MS. Trial is scheduled to commence on or about October 20, 2005. The defendant has subpoenaed a member of the Senator's staff who has provided case-work assistance to him. The enclosed resolution would authorize that staff member to testify in connection with this action.

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 279) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 279

Whereas, in the case of State of Mississippi v. Edward Statecum, Case No. M051648, pending in Municipal Court in the City of Clarksdale, Mississippi, testimony has been requested from Kim Coalter, an employee in the office of Senator Thad Cochran;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, that Kim Coalter is authorized to testify in the case of State of Mississippi v. Edward Statecum, except concerning matters for which a privilege should be asserted.

AUTHORIZING THE TRANSFER OF NAVAL VESSELS

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to immediate consideration of S. 1886, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1886) to authorize the transfer of naval vessels to certain foreign recipients.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1886) was read the third time and passed, as follows:

S. 1886

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Naval Vessels Transfer Act of 2005".

SEC. 2. TRANSFERS BY GRANT.

The President is authorized to transfer vessels to foreign recipients on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:

(1) GREECE.—To the Government of Greece, the OSPREY class minehunter coastal ship PELICAN (MHC-53).

(2) EGYPT.—To the Government of Egypt, the OSPREY class minehunter coastal ships CARDINAL (MHC-60) and RAVEN (MHC-61).

(3) PAKISTAN.—To the Government of Pakistan, the SPRUANCE class destroyer ship FLETCHER (DD-992).

(4) TURKEY.—To the Government of Turkey, the SPRUANCE class destroyer ship CUSHING (DD-985).

SEC. 3. TRANSFERS BY SALE.

The President is authorized to transfer vessels to foreign recipients on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761), as follows:

(1) INDIA.—To the Government of India, the AUSTIN class amphibious transport dock ship TRENTON (LPD-14).

(2) GREECE.—To the Government of Greece, the OSPREY class minehunter coastal ship HERON (MHC-52).

(3) TURKEY.—To the Government of Turkey, the SPRUANCE class destroyer ship O'BANNON (DD-987).

SEC. 4. GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.

The value of a vessel transferred to another country on a grant basis pursuant to authority provided by section 2 shall not be counted against the aggregate value of excess defense articles transferred to countries in any fiscal year under section 516 of the Foreign Assistance Act of 1961.

SEC. 5. COSTS OF CERTAIN TRANSFERS.

Notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1)), any expense incurred by the United States in connection with a transfer authorized under section 2 shall be charged to the recipient.

SEC. 6. REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.

To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed before the vessel joins the naval forces of that country be performed at a shipyard located in the United States, including a United States Navy shipyard.

SEC. 7. EXPIRATION OF AUTHORITY.

The authority to transfer a vessel under this section shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

MONTH OF GLOBAL HEALTH

Mr. FRIST. Mr. President, I ask unanimous consent the Judiciary Com-

mittee be discharged from further consideration of S. Res. 225 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 225) designating the month of November 2005 as the "Month of Global Health."

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table en bloc, and any statements be printed without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 225

Whereas child survival is a key element of global health and is of utmost importance to the United States and all countries of the world;

Whereas child survival must be addressed on a global scale;

Whereas increasing child survival rates is critical to population growth in countries around the world;

Whereas child survival depends on access to key nutrients that can avert millions of unnecessary deaths in third world countries from preventable diseases;

Whereas 5 simple interventions, if delivered to children before the age of 5, may significantly increase their chances of survival;

Whereas these 5 interventions—vaccines, antibiotics, Vitamin A and micronutrients, oral rehydration therapy, and insecticide-treated bednets—can be provided to third world countries at minimal cost; and

Whereas 10,000,000 children die each year from preventable diseases in third world countries and 6,000,000 of those deaths could be prevented by the use of these interventions: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of November 2005 as the "Month of Global Health";

(2) reaffirms its commitment to ensuring that children around the world receive the interventions necessary for survival as an integral component of efforts to improve global health; and

(3) encourages the people of the United States to observe the "Month of Global Health" with appropriate participation in key activities, programs, and fundraising in support of worldwide child survival.

URGING PROHIBITION OF REBIRTHING TECHNIQUES

Mr. SALAZAR. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 276, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 276) expressing the sense of the Senate that the attachment therapy technique known as rebirthing is a dangerous practice and should be prohibited.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SALAZAR. Mr. President, I rise today to speak about a resolution I have introduced with my colleague from North Carolina, Senator BURR. This resolution encourages States to prohibit a controversial procedure known as "rebirthing."

Today's action sheds light on the death of a North Carolina child brought to Colorado to undergo the "rebirthing" procedure.

Like many, I first learned of this intervention procedure known as "rebirthing" when information about the death of Candace Newmaker was reported in Colorado newspapers.

Rebirthing is a procedure which attempts to reenact the birth process by restraining a child with blankets and forcing a child to emerge unaided.

Candace, a 10-year-old, was brought to my State to undergo "rebirthing," which was supposed to help her form a bond with her newly adoptive mother. Instead, this dangerous procedure, which is supported by no scientific evidence, and is in fact condemned by the American Psychiatric Association, cut short a life full of possibilities.

Her adoptive mother believed that this procedure would help her establish a stronger relationship with Candace, who was having difficulty adjusting to her new home and who had been in and out of the foster care system.

By paying \$7,000 for someone to diagnose and to treat Candace, her adoptive mother believed that she would establish a connection with her new daughter. After a few days, the hired "experts" decided that "rebirthing" would erase Candace's childhood memories so that she could form a lasting mother-daughter relationship.

Candace was wrapped in flannel blankets, held down by the weight of four adults, who bounced her and squeezed her to simulate contractions. When Candace begged for the procedure to cease, the adults holding her down ignored her pleas. When she told the strangers restraining her that she felt she was going to die, they ignored her.

In April 2001, when Candace was brought to Children's Hospital in Denver, she was unconscious. She had been restrained under blankets for over an hour. Tragically, she suffocated to death.

I was Colorado's Attorney General at the time this tragedy occurred. When one of the therapists was convicted for the death of Candace, my office successfully upheld that conviction upon appeal.

As I stated then, and still believe today: adults are responsible for their criminal recklessness when caring for a child, regardless of whether it is called "therapy" or some other form of unusual care or treatment.

We cannot take back the actions of the past and bring Candace back, but we can take action to ensure that her life was not lost in vain.

Her grandparents, David and Mary Davis, have been the primary force be-

hind efforts to honor the life of Candace. Through their advocacy, the States of Colorado and North Carolina have passed laws banning rebirthing.

The Davis family also worked with their representative in the U.S. House of Representatives to pass a resolution encouraging States to outlaw rebirthing.

With the introduction of this resolution, the Senate is poised to act.

Candace's grandparents and several members of her extended family are with us today. I welcome the Davis family and sincerely appreciate their presence. I am honored to join with Senator BURR to support this resolution.

It is my hope that our actions today will prevent further pain and suffering.

I urge the Senate to promptly act on this resolution in the name of Candace Newmaker and all children who could potentially be victimized by this life-threatening procedure.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank my colleague from Colorado. It is seldom we have an opportunity to effect a change for a specific individual. We have an opportunity to do that today for an individual we will never meet, an individual who might be placed in the same situation as Candace. In fact, in 2001, Candace Newmaker, the granddaughter of David and Mary Davis of Vale, NC, was killed. She was killed during a so-called rebirthing therapy session. This dangerous practice involves therapists, as my colleague said, wrapping sheets and towels and pillows around a patient who almost always is a young child, who is curled in a fetal position. The therapists attempt to recreate the child's birth by physically restraining and pushing against the child, urging the child to escape.

The stories are horrendous. Rebirthing has resulted in numerous injuries as well as the suffocation and death of five children. If there was ever a time that called out for us to act on a resolution like this, this is it; to reach out to States and say: Do what North Carolina did, do what Colorado did—outlaw this practice.

In 2003, North Carolina did outlaw this unsafe therapy, largely due to the Davises' efforts. Today, Senator SALAZAR and I urge other States to do exactly that. The Candace Newmaker resolution encourages States to examine the rebirthing technique and enact laws prohibiting this dangerous practice. Organizations such as the American Psychological Association fully support the ban of this technique. The possible loss of another child to this harmful therapy should be enough reason for the Senate to pass this resolution; if we can affect one child with our action, a child we have not met who might be exposed to this, we should do so.

The House of Representatives, led by my colleague, Representative SUE MYRICK, passed a similar resolution on

December 17, 2002. The Davises are here today, and I thank them personally for their passion and for their commitment to have rebirthing outlawed. Their dedication to this cause is a reflection of the amount of love and loss they feel toward Candace.

Mr. President, I proudly join my colleague, Senator SALAZAR, to raise awareness of this resolution and to urge our colleagues in this body for a quick consideration.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, that any statements relating thereto be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 276) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 276

Whereas "rebirthing" is the most dangerous form of attachment therapy, a controversial and scientifically unsupported form of therapy that claims to treat emotionally disturbed children by using physical restraints;

Whereas rebirthing techniques attempt to reenact the birth process by restraining a child with blankets or other materials and forcing the child to emerge unaided;

Whereas rebirthing techniques are based on the erroneous assumption that a reenactment of the birth process will treat children with reactive attachment disorder, a psychiatric condition characterized by the inability to form emotional attachments, by purging the child of rage resulting from past mistreatment and allowing the child to form stronger emotional attachments in the future;

Whereas attachment therapists claim rebirthing techniques create new bonds between adopted children and adoptive parents and often use rebirthing techniques in therapy sessions with adoptive families;

Whereas in 2000, Candace Newmaker, a 10-year-old child from North Carolina, died from suffocation, after being wrapped in flannel sheets, covered with pillows, and leaned on by 4 adults to simulate contractions, when Candace became trapped by the sheets because she was forcibly restrained by these adults and could not emerge through her own efforts to be reborn into her adoptive family;

Whereas between 1995 and 2005, at least 4 other children in the United States have died from other forms of attachment therapy;

Whereas the American Psychiatric Association, a national medical specialty society that focuses on the diagnosis, treatment, and prevention of mental illnesses, maintains that no scientific evidence supports the effectiveness of rebirthing techniques;

Whereas in 2002, Paul S. Appelbaum, M.D., President of the American Psychiatric Association, condemned rebirthing techniques as "extreme methods [that] pose serious risk and should not be used under any circumstances"; and

Whereas several States have enacted or are considering legislation to prohibit the use of rebirthing techniques: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) rebirthing, an attachment therapy technique that reenacts the birth process by

physically restraining a child and forcing the child to emerge unaided, is dangerous, potentially life-threatening, and unsupported by scientific evidence; and

(2) each State should enact laws prohibiting the use of rebirthing techniques.

ORDERS FOR WEDNESDAY,
OCTOBER 19, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, October 19. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and there then be a period of morning business for up to 60 minutes, with the first 30 minutes under the control of the Democratic leader or his designee and the final 30 minutes under the con-

trol of the Republican leader or his designee, provided that following morning business the Senate then resume consideration of H.R. 3058, the Transportation, Treasury Appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, the Senate continued to work on the Transportation—Treasury appropriations bill today. A number of amendments have indeed been filed. I encourage Senators who are serious about offering them to come down early in the day tomorrow to do just that. We hope to dispose of the pending Kennedy amendment and an alternative to that amendment at an early hour tomorrow.

The two managers were here all day and have been very patient. If Senators

do not come down in a timely manner to offer their amendments, then I would encourage the managers to close out the bill to further amendment and proceed to final passage. We will finish this bill this week, either Wednesday or Thursday, or Friday, if necessary, and therefore votes can be expected each day until we finish this bill.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:16 p.m., adjourned until Wednesday, October 19, 2005, at 9:30 a.m.